

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB1407
By Gilbert

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 5, Part 3, to grant a limitation of liability and immunity from suit for school volunteers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 3 is amended by adding the following new section:

SECTION 49-5-304

(a) The general assembly finds and declares that the services of volunteers for school functions and activities are critical to the efficient conduct and management of the public school systems and the citizens of this state. Such volunteers must be permitted to assist teachers and school administrators without concern for the possibility of litigation arising from the discharge of their duties as assigned by such teachers and school administrators.

(b) All volunteers as described in subsection (c) shall be immune from suit arising from the discharge of duties as assigned by teachers and school administrators. Such immunity from suit shall be removed when such conduct amounts to willful, wanton or gross negligence. Notwithstanding other provisions of this code to the contrary, public

school systems may carry liability insurance coverage in an amount to be determined by such school system for the actions and inactions of volunteers performing duties as assigned by teachers and school administrators. This subsection shall not prevent or impair a public school system's immunity from suit pursuant to the Governmental Tort Liability Act, Title 29, Chapter 20, of this code.

(c) Subsection (b) shall apply to all individuals donating or volunteering their time and/or services whether compensated or not to any public school system of this state, when such services are at the request and direction of a teacher or school administrator.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.

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